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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

8 JERRY GEORGE WOOD JR,

9 Plaintiff,

10 v.

11 KEVIN YOUNG, et al.,

12 Defendant.

CASE NO. C18-983-MJP-BAT

**ORDER DENYING MOTION FOR  
EXTENSION OF PRETRIAL  
DEADLINE**

13 On January 7, 2019, the Court set the parties' discovery deadline for April 8, 2019, and  
14 the deadline for serving discovery requests for March 7, 2019. Dkt. 32. On March 4, 2019, Mr.  
15 Wood filed "a motion for extension of time" in which he appears to request a 45 day extension of  
16 the deadline for serving discovery requests, from March 7, 2019 to April 22, 2019. Dkt. 51.  
17 Plaintiff indicates on February 7, 2019, he received a "denial of plaintiff request for 'discovery  
18 deposition'" and he is "trying to figure out how best to get plaintiff's request honored." *Id.*  
19 Plaintiff also indicates on February 19, 2019, defendants objected to many of his "request for  
20 production of discovery" and that he is currently seeking information from other sources. *Id.*  
21 Plaintiff's motion is noted for March 15, 2019, but, because his motion fails to state good cause  
22 for the continuance, the Court finds it appropriate to **DENY** plaintiff's motion at this time.

23 **DISCUSSION**

1 A pretrial scheduling order is typically required in actions pending in federal court  
2 pursuant to FRCP 16(b). Modification of that schedule may occur only with the court's consent  
3 and upon a showing of good cause. FRCP 16(b)(4). The Local Rules for the Western District  
4 further restrict the modification of the scheduling order by using the additional phrase "[m]ere  
5 failure to complete discovery within the time allowed does not constitute good cause for an  
6 extension or continuance." LCR 16(b)(4).

7 "The district court is given broad discretion in supervising the pretrial phase of litigation,  
8 and its decisions regarding the preclusive effect of a pretrial order ... will not be disturbed unless  
9 they evidence a clear abuse of discretion." *Miller v. Safeco Title Ins. Co.*, 758 F.2d 364, 369 (9th  
10 Cir.1985). An analysis of "good cause" primarily considers the diligence of the party seeking the  
11 extension. *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 609 (9th Cir. 1992). The  
12 district court may modify the pretrial schedule "if it cannot reasonably be met despite the  
13 diligence of the party seeking the extension." Fed.R.Civ.P. 16 advisory committee's notes (1983  
14 amendment).

15 Here, Mr. Wood does not explain why he is unable to meet the discovery deadline in this  
16 case. Mr. Wood states he received a denial of his request for a deposition from defendants a  
17 month ago but does not indicate what he has done in the interim to pursue that information or  
18 why that information is relevant to his claims such that he requires additional time to conduct  
19 discovery. He also states he is dissatisfied with the discovery responses he received from  
20 defendants' counsel but, again, does not describe what additional relevant information he would  
21 seek were he provided additional time to conduct discovery. The "[m]ere failure to complete  
22 discovery within the time allowed does not constitute good cause for an extension or  
23 continuance." LCR 16(b)(4). Accordingly, the Court finds Mr. Wood has failed to demonstrate

1 good cause for modifying the pretrial scheduling order and his motion (Dkt. 51) is **DENIED**.

2 The Court's scheduling order (Dkt. 32) shall remain in effect.

3 The Clerk is directed to provide a copy of this order to Mr. Wood, counsel for  
4 defendants, and to the Honorable James L. Robart.

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6 DATED this 6<sup>th</sup> day of March, 2019.

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BRIAN A. TSUCHIDA  
United States Magistrate Judge